

LAW OFFICES
KELLER AND HECKMAN LLP

1001 G STREET, N.W.
SUITE 500 WEST
WASHINGTON, D.C. 20001
TELEPHONE (202) 434-4100
FACSIMILE (202) 434-4646
—
BOULEVARD LOUIS SCHMIDT 87
B-1040 BRUSSELS
TELEPHONE 32(2) 732 52 80
FACSIMILE 32(2) 732 53 92

JOSEPH E. KELLER (1907-1994)
JEROME H. HECKMAN
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SCIENTIFIC STAFF
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CHARLES V. BREDER, Ph. D.
ROBERT A. MATHEWS, Ph. D., D.A.B.T.
JOHN P. MODDERMAN, Ph. D.
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EUGENIA M. BRAZWELL, Ph. D.

TELECOMMUNICATIONS
ENGINEER
RANDALL D. YOUNG

WRITER'S DIRECT DIAL NUMBER

(202) 434-4210

September 12, 1996

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VIA HAND DELIVERY

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

EX PARTE

Re: FCC WT Docket No. 96-148;
Geographic Partitioning and Spectrum
Disaggregation by Commercial Mobile Radio
Licensees; Notice of Proposed Rulemaking

Dear Mr. Caton:

On August 15, 1996, on behalf of the National Rural Telecommunications Cooperative (NRTC), the undersigned filed Comments in connection with the Notice of Proposed Rulemaking (Notice) in the above-captioned proceeding. (FCC 96-287, July 15, 1996.) The purpose of this ex parte presentation is to clarify and revise those Comments as described herein.

Under the Commission's current rules, only rural telephone companies are eligible to receive a partitioned PCS license. The Commission established geographic partitioning provisions for rural telephone companies in the Competitive Bidding Fifth Report and Order, 9 FCC Rcd. 5532 (1994). In that proceeding, the Commission determined that partitioning would satisfy a Congressional mandate to provide opportunities for rural telephone companies to participate at auction and in the provision of broadband PCS. The Commission also noted that rural telephone companies could take advantage of their existing infrastructure to provide broadband PCS services, thereby speeding service to rural areas. The Commission therefore decided to allow rural telephone companies to acquire partitioned licenses (i) by forming an auction bidding consortium comprised entirely of rural telcos, and partitioning the license(s)

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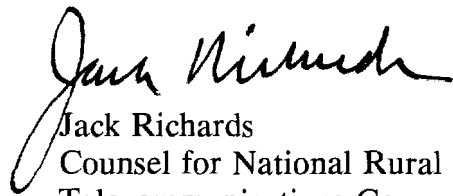
won among consortium members; or (ii) through private negotiation, either before or after an auction. The rules adopted require that the partitioned area be reasonably related to the rural telephone companies' wireline service area. Other obligations are imposed, as well.

In its Notice, the Commission has solicited comment on whether liberalizing the geographic partitioning rules to allow others to seek partitioned PCS licenses would lessen rural telephone companies' ability to participate in the provision of broadband PCS. NRTC submitted Comments responsive to this proposal.

NRTC's Comments are hereby revised to the extent they supported the Commission's proposal to expand eligibility to receive partitioned licenses beyond the currently authorized rural telephone companies. NRTC does not advocate expansion of partitioning beyond rural telephone companies.^{1/} In particular, it does not support any proposal that would reduce the preference that already permits rural telephone companies alone to partition PCS licenses covering their wireline service areas. To the contrary, NRTC's Comments were filed primarily to express NRTC's willingness to consider serving as a spectrum clearinghouse should the Commission adopt its proposals.

We appreciate this opportunity to elaborate on NRTC's Comments in this proceeding. Should you have any questions or require any additional information, please feel free to contact the undersigned.

Sincerely,


Jack Richards
Counsel for National Rural
Telecommunications Cooperative

^{1/} Cf., Reply Comments of the Ad Hoc Rural Telecommunications Group, at page 8, footnote 21, and the Reply Comments of US West, at page 5, footnote 20.

CERTIFICATE OF SERVICE

I, Jennifer M. Cardin, a legal secretary at the law firm of Keller and Heckman LLP, certify on this 12th day of September, 1996, copies of Ex Parte September 12, 1996 letter to William F. Caton were sent by first-class mail, postage prepaid, to the following individuals:

* Sandra Danner, Acting Chief
Federal Communications Commission
Commercial Wireless Division
Wireless Telecommunications Bureau
2025 M Street, N.W., Suite 7002
Washington, D.C. 20554

* Mika Savir
Federal Communications Commission
Commercial Wireless Division
Wireless Telecommunications Bureau
2025 M Street, N.W., Suite 7002
Washington, D.C. 20554

David Cosson
L. Marie Guillory
National Telephone Cooperative Association
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

Caressa D. Bennet
Dorothy Coukier
Bennet and Bennet PLLC
1019 19th Street, N.W., Suite 500
Washington, D.C. 20036
Ad Hoc Counsel for Rural Telecommunications Group

Jeffrey S. Bork
Dan L. Poole
U.S. West, Inc.
1020 19th Street, N.W., Suite 700
Washington, D.C. 20036


Jennifer M. Cardin

* via messenger